

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5 CHRISTIANA TRUST, *et al.*,

6 Plaintiffs,

7 vs.

8 LATINO AMERICA TAX SERVICES LLC, *et*
9 *al.*,

10 Defendants.

2:17-cv-00478-APG-VCF

ORDER

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12 Before the Court is the Motion for Extension of Time to Serve Defendant Armando Rodriguez
13 with Summons and Complaint (ECF No. 21). Plaintiff seeks an extension of time to effectuate service of
14 process on Defendant Rodriguez. *Id.*

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16 Plaintiff asserts that the after diligent effort, Plaintiff is unable to serve Defendant within at his last
17 known address. *Id.* In support of this assertion, plaintiff provided the court with an affidavit of attempted
18 services. *See* ECF No. 23-1.

19 Fed. R. Civ. P. 4(m) requires a defendant to be served within 90 days after the complaint is filed.
20 If “the plaintiff shows good cause for the failure [to serve a defendant within that time-frame], the court
21 must extend the time for service for an appropriate period.” Fed. R. Civ. P. 4(m).

22 Here, Plaintiff must effectuate service on Defendant Rodriguez by May 15, 2017. (ECF No. 1).
23 Plaintiff states that an additional 60 days is required to effect service. (ECF No. 21). As plaintiff has
24 demonstrated “good cause” for its failure to effectuate service and provided support for its request for an
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1 extension, the court will extend the 4(m) deadline for 60 days or until August 6, 2017. See Fed. R. Civ.
2 P. 4(m).

3 Under 7-2(d), the failure of an opposing party to file points and authorities in response to any
4 motion, except a motion under Fed. R. Civ. P. 56 or a motion for attorney's fees, constitutes a consent to
5 the granting of the motion. No opposition has been filed. Here, it would seem that Defendants Jose
6 Refugio Sandoval, Yvonne Gutierrez, and Atrium Gardens Home Owners Association have consented to
7 the granted of the instant motion.

8 Accordingly, and for good cause shown,

9 IT IS HEREBY ORDERED that Motion for Extension of Time to Serve Defendant Armando
10 Rodriguez with Summons and Complaint (ECF No. 21) is GRANTED.

11 IT IS FURTHER ORDERED that the deadline to effect service of process will be extended for 60
12 days, up to and including August 6, 2017.

13 DATED this 6th day of June, 2017.

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16 CAM FERENBACH
17 UNITED STATES MAGISTRATE JUDGE
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